

# **AGENDA**

## **MALVERN CITY COUNCIL**

Monday, December 13, 2021

First Baptist Church Family Life Center, 6:30 PM

### **I. CALL MEETING TO ORDER**

### **II. INVOCATION**

### **III. ROLL CALL**

### **IV. APPROVE MINUTES OF THE PREVIOUS MEETING**

A. Regular Meeting – November 8, 2021

### **V. DEPARTMENT REPORTS**

- A. Finance Report
- B. Street Department Report
- C. Police Report
- D. Fire/CEO Report
- E. Animal Control Report
- F. LifeNet Report
- G. Water Works Report

### **VI. OLD BUSINESS**

### **VII. NEW BUSINESS**

- A. Reappoint Marshall Tanner to Parks Committee, Ward 2
- B. Resolution Adopting City of Malvern Budget for 2022
- C. Resolution Adopting Malvern Water and Sewer Dept. Budget for 2022

### **VIII. MAYOR REPORTS**

### **IX. ADJOURNMENT**

**MINUTES OF THE MALVERN CITY COUNCIL  
MONDAY, December 13, 2021, 6:30 PM  
FIRST BAPTIST CHURCH FAMILY LIFE CENTER**

The Malvern City Council met for its regular monthly meeting on Monday, December 13, 2021, at 6:30 p.m. in the First Baptist Church Family Life Center.

Mayor Brenda Weldon called the meeting to order. Council Member Mary Fraction led the invocation and pledge of allegiance. Answering the roll call were Council members Mary Fraction, William Wilson, Lynn Davis, Wayne Reynolds, Matthew Keenan, David Cross and Larry Stiles with Council Member Peggy Lusinger absent. Also present was City Clerk/Treasurer Phyllis Dial, with City Attorney Cecilia Ashcraft absent.

A motion was made by Council Member Matthew Keenan, seconded by Council Member David Cross to approve the minutes of the regular meeting held on November 8, 2021. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Keenan, Cross and Stiles with Lusinger absent. All present voting for, motion carried, and the minutes of the previous meeting were adopted.

A motion was made by Council Member David Cross, seconded by Council Member Matthew Keenan, to accept the Departmental Reports as posted. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Keenan, Cross and Stiles with Lusinger absent. All present voting for, the reports were accepted.

There was no old business to come before the City Council. Under new business, a motion was made by Alderman Stiles, seconded by Davis to re-appoint Marshall Tanner to an additional three-year term on the City's Parks Committee as the representative from Ward 2. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Keenan, Cross and Stiles with Lusinger absent. All present voting for, the motion carried.

Alderman Keenan introduced a resolution adopting the 2022 Budget for the City of Malvern. The Clerk read the resolution. A motion was made by Council Member Fraction and seconded by Alderman Keenan. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Keenan, Cross and Stiles with Lusinger absent. All present voting for, the motion carried, and the resolution was declared adopted and assigned No. 16-2021.

**RESOLUTION NO. 16-2021**

**A RESOLUTION PROVIDING FOR THE APPROPRIATION OF FUNDS FOR THE OPERATION  
OF THE CITY OF MALVERN, ARKANSAS PROVIDING FOR THE BUDGET FOR THE YEAR 2022**

Alderman Reynolds introduced a resolution adopting the 2022 Budget for the City of Malvern Water and Sewer Department. Clerk/Treasurer Dial read the resolution. A motion was made by Alderman Reynolds, seconded by Council Member Davis to adopt the resolution. Voting for the motion were Council Members Fraction, Wilson, Davis, Reynolds, Keenan, Cross and Stiles with Lusinger absent. All present voting for, the motion carried, and the resolution was adopted and assigned No. 17-2021.



MINUTES OF THE MALVERN CITY COUNCIL  
MONDAY, December 13, 2021, 6:30 PM  
FIRST BAPTIST CHURCH FAMILY LIFE CENTER

RESOLUTION NO. 17-2021

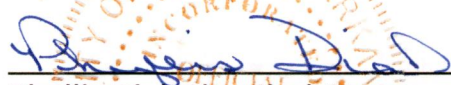
A RESOLUTION PROVIDING FOR THE APPROPRIATION OF FUNDS FOR THE  
OPERATION OF THE CITY OF MALVERN, ARKANSAS WATER AND SEWER DEPARTMENT  
PROVIDING FOR THE BUDGET FOR THE YEAR 2022


Under Mayor reports, Mayor Weldon noted that the sales tax revenues for last month were down a little, but that she had done some checking and most of it was due to a rebate. She noted that the State will not divulge who the rebate is to, or why it was issued.

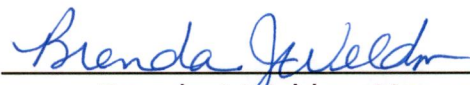
Mayor Weldon also told the Council that they were in court again with Perla last week asking for a judgment and requesting that Central Arkansas Water be designated as a receiver. Central Arkansas Water has estimated it will take about \$4 million to repair and upgrade the Perla water and sewer facilities, and they think they can get around \$3 million in grants to accomplish that. They intend to continue to purchase water from the City and pay the City what is owed to us from the Perla bankruptcy. She stated that Perla had a meeting without notifying anyone and told the court that Southwest Water was going to purchase their system. A case was filed against Perla by a water user for violating the FOIA and though the judge had previously told the City that he could not designate Central Arkansas Water as the receiver, after the case was filed by the water user, he found Perla in violation of the FOIA and designated Central Arkansas Water as the receiver. Central Arkansas Water has agreed on an approximate 5-year payback for what Malvern Water is owed. The Mayor stated that the judgment was made on Thursday, and Central Arkansas Water started working on Friday. Both the Mayor and Water Works Manager David Coston agreed that they felt this was the best possible outcome for the City, the Malvern Water Works, and the public. Several of the aldermen also stated they were happy for the residents and water users of the Perla system and felt this was also the best possible outcome for them.

Mayor Weldon also told the Council that the new fire station and police facility are progressing nicely and encouraged them to go by and look at the progress.

There being no further business, and upon a motion by Alderman Keenan, seconded by Alderman Stiles, the meeting was adjourned.

  
Phyllis Dial, City Clerk/Treasurer



  
Brenda J. Weldon, Mayor